

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CRYSTAL SCHLEICHER,

Plaintiff,

vs.

LIFE INSURANCE COMPANY OF NORTH  
AMERICA, and LABORATORY  
CORPORATION OF AMERICA HOLDINGS  
GROUP BENEFITS PLAN,

Defendants.

**8:23CV556**

**ORDER ON JOINT STIPULATION  
DISMISSING DEFENDANT  
LABORATORY CORPORATION OF  
AMERICA HOLDINGS GROUP  
BENEFIT PLAN ONLY**

This case is before the Court on the Joint Stipulation Dismissing Defendant Laboratory Corporation of America Holdings Group Benefit Plan Only, signed by counsel for both plaintiff and defendant Life Insurance Company of North America (LINA). [Filing 15](#). The parties stipulate to the following:

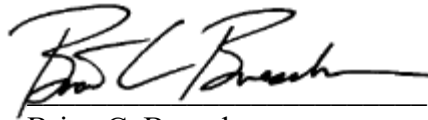
1. The Parties acknowledge that the Plan is not a necessary party to this action because the benefits at issue are fully insured by LINA, and LINA will be responsible for payment of any benefits awarded for plaintiff's claim under 29 U.S.C. §1132(a)(1)(B), as well as interest and attorney's fees, if any.
2. LINA will not defend against Plaintiff's claim and/or cause of action under 29 U.S.C. §1132(a)(1)(B) including any claim for attorney's fees, by asserting that the Plan is at fault or is a necessary party to this action.
3. The Parties agree that all claims against the Plan should be dismissed without prejudice and without an award of fees or costs to any party.
4. Defendant LINA remains a party to this action.

[Filing 15 at 1](#)–2. Consequently, the parties stipulate that defendant Laboratory Corporation of America Holdings Group Benefits Plan only should be dismissed from this lawsuit without prejudice and without an award of fees or costs to any party, and they request that the Plan be removed from the caption of this matter. [Filing 15 at 2](#). Accordingly,

IT IS ORDERED that the parties' Joint Stipulation Dismissing Defendant Laboratory Corporation of America Holdings Group Benefit Plan Only, [Filing 15](#), is granted. This case is dismissed with prejudice as to defendant Laboratory Corporation of America Holdings Group Benefit Plan, without an award of fees or costs, and defendant Laboratory Corporation of America Holdings Group Benefit Plan shall be removed from the caption of this matter. Defendant LINA remains a party to this action.

Dated this 30th day of January, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher  
United States District Judge